

INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER**DO NOT WRITE IN THIS SPACE**

Case

21-CA-209622

Date Filed

11-07-2017

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer SolarCity Corporation; SolarCity Finance Company, LLC; Tesla Motors, Inc. (or Tesla, Inc.)		b. Tel. No. (650) 963-5149
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) SolarCity Corporation Headquarters 3055 Clearview Way San Mateo, California 94402	e. Employer Representative (b) (6), (b) (7)(C) SolarCity Corporation Legal Dept. 3055 Clearview Way San Mateo, California 94402	g. e-Mail (b) (6), (b) (7)(C)@solarcity.com
		h. Number of workers employed 1000+
i. Type of Establishment (factory, mine, wholesaler, etc.) Solar Energy Product Manufacturing and Sales	j. Identify principal product or service Solar Panels	

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) _____ of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Effective (b) (6), (b) (7)(C) 2017, Employers terminated hundreds of salespersons nationwide including (b) (6), (b) (7)(C). Without disclosing the existence of pending class and collective actions brought on salespersons' behalf, Employers secured agreements with broad releases from the terminated salespersons. All terminated salespersons were putative class and collective action members for at least part of their employment. Among other unlawful provisions, the agreements (1) forbid terminated salespersons from speaking with current or former employees or their counsel concerning complaints against Employers without a subpoena or court order; (2) require terminated salespersons to assist in Employers' defense of claims brought by current employees such as Wool; (3) threaten to sue (in arbitration with employees paying half of all costs and fees) if terminated salespersons breach the agreement; and (4) release state and federal claims that were already pending on their behalf. The agreements prevent current employees like (b) (6), (b) (7)(C) from engaging in concerted action. Exhibit 1 (Agreement).

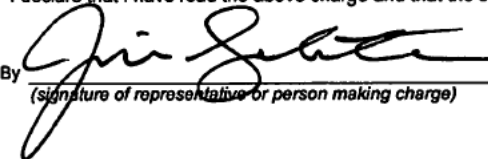
3. Full name of party filing charge (if labor organization, give full name, including local name, and name of person who signed agreement) and (b) (6), (b) (7)(C)

4a. Address (Street and number, city, state, and ZIP code) (b) (6), (b) (7)(C) c/o Soderstrom Law PC Jamin S. Soderstrom 3 Park Plaza, Suite 100 Irvine, California 92614	4b. Tel. No. (949) 667-4700
	4c. Cell No. (949) 667-4739
	4d. Fax No. (949) 424-8091
	4e. e-Mail jamin@soderstromlawfirm.com

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By 
(signature of representative or person making charge)

Jamin S. Soderstrom, Attorney

(Print/type name and title or office, if any)

Address Soderstrom Law PC, 3 Park Plaza Suite 100, Irvine, CA 92614

Nov. 7, 2017

(date)

Tel. No. (949) 667-4700

Office, if any, Cell No.
(949) 667-4739

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e-Mail
jamin@soderstromlawfirm.com**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)****PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 21
888 S Figueroa St Fl 9
Los Angeles, CA 90017-5449

Agency Website: www.nlrb.gov
Telephone: (213)894-5200
Fax: (213)894-2778

December 19, 2017

SOLARCITY CORPORATION;
SOLARCITY FINANCE COMPANY, LLC;
TESLA MOTORS, INC. (OR TESLA, INC.)
3055 CLEARVIEW WAY
SAN MATEO, CA 94402-3709

Re: SOLARCITY CORPORATION;
SOLARCITY FINANCE COMPANY,
LLC; TESLA MOTORS, INC. (OR
TESLA, INC.)
Case 21-CA-209622

Dear Sir or Madam:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

/s/WILLIAM B. COWEN
Regional Director

cc:

(b) (6), (b) (7)(C)

JAMIN S. SODERSTROM, ATTORNEY AT LAW
C/O JAMIN S. SODERSTROM, ATTORNEY AT LAW
3 PARK PLAZA, SUITE 100
IRVINE, CA 92614

WBC/mr